

CALIFORNIA DEPARTMENT OF EDUCATION

SPECIAL EDUCATION DIVISION

CORRECTIVE ACTION PLAN

***SUPPLEMENT TO THE MARCH 31, 2000
REPORT #3***

**TO THE U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS**

On

May 15, 2000

Note: Draft attachments provided to OSEP are to demonstrate CDE's data collection on compliance and noncompliance. These attachments are not included on the web document.

May 15, 2000

Ruth Ryder, Director
U.S. Department of Education
Office of Special Education and Rehabilitative Services
Division of Monitoring and State Improvement Planning
400 Maryland Avenue, S.W.
Washington, D.C. 20202-2500

Dear Ms. Ryder,

Enclosed you find documentation supporting "California Department of Education's Corrective Action Plan (CAP) for the Findings in the Office of Special Education Programs' 1996 and 1999 California Monitoring Reports." This documentation is in direct response to correspondence received by CDE on April 20, 2000 from Judith E. Heumann requesting a supplemental report from CDE that includes missing information from the March 31 CAP report.

Please note that it was unclear to CDE that the February 25, 2000 CAP required aggregate numbers similar to the CAP of 1996 and therefore, the March 31, 2000 report and this supplement do not report this information. As understood and agreed upon May 5, 2000, CDE will collect the local level data. Thank you for clarifying this CAP requirement. A sample copy of my letter to districts requesting this information is attached.

This report provides supplemental information based on your analysis of the March 31, 2000 CAP report #3, materials you received during your on-site visit of April 24-28, 2000 and the helpful information provided to me on May 2, 2000.

In addition, CDE provides Quality Assurance Process (QAP) information on selected districts in the CAP Sections B and C (local plan, CCR, Compliance Complaints, Due Process and KPIs). The four (4) components of the QAP provide essential information to CDE's efficacy and thoroughness in its required SEA supervision and monitoring responsibilities. The QAP information combined with CDE's verification review process, CASEMIS data, and student level data reported by districts will provide CDE with adequate and accurate data for review, analysis and application of corrective action plans that correct each and every noncompliant finding.

The information provided reflects CDE's continuing demonstration of progress in addressing the agreed upon Corrective Action Plan of February 25, 2000 by both agencies. As you are highly aware, CDE is in process of conducting verification process reviews that began in March and conclude in early June. To the degree possible, CDE submitted data as required in the CAP in the March 31, 2000 Report #3. This supplement provides data currently available to address the additional information requested.

SECTION A- Corrective Action Plan of February 25, 2000

For this supplemental report, CDE provides completed Quality Assurance Process information on Section A including verification process review (student records) data as available on all nine selected districts as required. The June 30, 2000 report will complete the data analysis of each district through the Quality Assurance Process that reflects the integrated approach utilized in the QAP. Corrective actions will be required for each identified area of noncompliance verified by CDE staff.

CDE also provides QAP information for selected districts in CAP Sections B and C. This data are being utilized as part of the verification review process as part of CDE's overarching SEA supervision and monitoring responsibilities.

SECTIONS B and C-Corrective Action Plan of February 25, 2000

In this report, CDE provides preliminary data findings from the verification review process that addresses several of the required CAP components in Sections B and C. As agreed upon May 5, 2000, local district student level data for FedCAP districts (Section B) and districts with long standing noncompliance (Section C) will be provided to OSEP in the June 30, 2000 Report #4. This data will include the number of children not receiving services as listed below:

- Without current IEPs
- Not receiving needed transition services
- Not receiving needed related services
- Not receiving services pursuant to an IEP while under a long-term suspension or expulsion
- Not receiving services in the least restrictive environment with supplementary aids and services
- Not receiving a reevaluation within 3 years or sooner if parents request

As agreed upon May 5, 2000, CDE will provide CASEMIS data to OSEP in this May 15, 2000 report for the selected districts in Sections A, B, and C (all nineteen (19) districts selected for CDE Corrective Action Plan) regarding annual IEPs and 3 year reevaluations based upon the December 1999 pupil count information.

As further explained in your April California on-site visit, the data currently being collected as part of the verification review process addresses four (4) questions:

1. Are the data the district reports to the state consistent with information found in student records (CASEMIS)?
2. Does a review of student records indicate that the LEA is in compliance with state and federal special education laws and regulations?
3. Are selected students' Individualized Education Programs (IEPs) implemented as written?
4. Has the LEA corrected prior noncompliance items so that they do not reoccur?

Question 3 above requires collection of written evidence and interviews (parents and service providers) to examine compliance or noncompliance specific to Corrective Action Plan requirements in sections B and C. Question 4 requires a variety of compliance tests to determine compliance or noncompliance dependent upon the previous area(s) of noncompliance. Question 3 specifically focuses on the FedCAP areas found non-compliant by OSEP as listed below but not limited to:

Related Services

- Occupation therapy
- Physical therapy
- Speech and Language therapy
- Counseling
- Other (as required on the IEP)

LRE

- Provision of supplementary aids and services

FAPE

- Provision of special education programs and services for students suspended 10 days or more and for expelled students

Information regarding a district's compliance in providing *annual IEPs, three-year reevaluations, transition services* and *supplementary aids and services*, is being gathered through student record reviews as part of the verification review process. To the extent that the data have been inputted into our data base system, such data are submitted in this report. The data identify each district's compliance or noncompliance in implementing provisions of IDEA, Part B, at both a student and systemic level. My review of tentative findings demonstrates that our new process is effective in identifying:

- Noncompliance identified by OSEP;
- Noncompliance in implementing the new requirements of IDEA 1997;
- Noncompliance of Part B (other); and
- Noncompliance of IDEA Part C

The verification process assists CDE in its supervision and monitoring to ensure that students receive their free and appropriate public education in the least restrictive environment. The verification process is helpful to districts as it is informative and

strategic. The data identified and analyzed results in specific and quantitative information on areas of noncompliance. These results help CDE effectively target, monitor and correct noncompliance at the child and system level.

This supplemental report will not provide the Corrective Action Plans (CAPs) for all 19 selected districts as parts 3 and 4 of the verification process (IEP implementation and district correction of prior noncompliance items to ensure they do not reoccur) are in various stages including writing corrective action plans. As required in the CAP of February 25, 2000, CDE will provide continuing data as follows to OSEP in its June 30, 2000 report:

For selected districts in Section A:

- a) A detailed summary of the findings;
- b) Required corrections including specific activities and timelines;
- c) A detailed summary of any and all prior finding(s) of noncompliance, including whether children are receiving needed services and any evidence from parents that corrective action has occurred; and
- d) Specific additional actions CDE has taken or will take, including, but not limited to, follow-up data collection, technical assistance, and sanctions, to secure compliance/correction, and the date on which CDE took or by which CDE will take each such action.

For selected districts in Sections B and C:

- a) Specific areas of continuing noncompliance, including, for each, specific data regarding the number of children not receiving the services to which they are entitled under part B as reported by the LEA and validated by CDE;
- b) Required corrective actions, including specific activities and timelines;
- c) Current status of those corrective actions and of compliance, including whether children are receiving needed services and any evidence from parents that corrective action has occurred; and
- d) Specific additional actions that CDE has taken or will take, including but not limited to follow-up data collection, technical assistance, and sanctions, to secure compliance/correction, and the date on which CDE took or by which CDE will take each such action.

SECTION D-Corrective Action Plan of February 25, 2000

This supplemental report provides updated information for Section D including the status of enforcement actions reported in the March 31, 2000 report and application of sanctions, as appropriate. Please note that CDE has implemented two additional sanctions (Writ of Mandate) since the March 31, 2000 CAP report. This information is provided to you. As requested, CDE provides information regarding districts with systemic noncompliance and a CDE Corrective Action Plan.

California is making every effort to obtain, verify, analyze and submit documentation required in demonstrating SEA level compliance with IDEA, Part. B. CDE continues to provide documentation that reports data in a timely manner, consistent and as completely as possible in fulfillment of the CAP.

As evidenced in this May 15, 2000 supplemental report, corrective action plans for selected districts in Sections A, B, and C are in various stages of development based on a data informed system that identifies compliance or noncompliance with IDEA, Part B. I look forward to CDE's submission of the corrective action plans for the selected districts in my June 30, 2000 report. The corrective actions plans target new and continuing noncompliant findings based on this data informed system.

I am highly encouraged by our efforts and appreciate your technical assistance. I am pleased to provide this information to you as it demonstrates CDE's substantial progress in identifying, monitoring and correcting noncompliance. If there are any questions or concerns regarding this report, please call me anytime. Again, I look forward to our continued cooperative efforts.

Sincerely,

Alice D. Parker, Ed.D.
Assistant Superintendent of Public Instruction
Director, Special Education Division

AP: GK: gk
Enclosures

Cc: Delaine Eastin, State Superintendent of Public Instruction
Scott Hill, Chief Deputy Superintendent for Accountability and Instruction
Leslie Fausset, Chief Deputy, Superintendent of Policy and Programs
Henry Der, Deputy Superintendent, Educational Equity and Access Branch

Section A: Overall Supervision and Monitoring System Identifies and Corrects Noncompliance

May 15, 2000 Supplement

“ ...under component A in the corrective action plan, CDE has not provided all of the required information for Garden Grove Unified School District USD, Modesto City USD or Norwalk-La Mirada USD.” (April 20, 2000 Letter to CDE from Judith Heumann)

In addition to the narrative of this supplemental report, CDE provides attachments demonstrating the Quality Assurance Process (QAP) data.

- Local Plan
- Focused Monitoring
- Coordinated Compliance Review
- Complaints Management
- Due Process
- CASEMIS data (Reevaluation, Annual IEPs-Timelines, as requested by OSEP May 5, 2000)

Local Plan

CURRENT STATUS

All local plan information has been submitted for selected districts in CAP Section A as of this May 15, 2000 supplemental report.

Local Plan information was provided in the March 31, 2000 report for the following districts:

- Sweetwater Union High School District
- San Diego City Unified School District
- Lynwood Unified School District
- Antelope Valley Unified School District
- Fremont Unified School District
- W. Contra Costa Unified School District

This supplemental report of May 15, 2000 provides information for the following districts:

- Garden Grove Unified School District
- Modesto City Unified School District
- Norwalk LaMirada Unified School District

Focused Monitoring

CURRENT STATUS

All focused monitoring information has been submitted for selected districts in CAP Section A as of this May 15, 2000 supplemental report

Focused monitoring information was provided in the March 31, 2000 report for the following districts (Key Performance Indicators):

- Antelope Valley Union High School (facilitated)
- San Diego Unified School District (collaborative)
- W. Contra Costa Unified School District (collaborative)

This supplemental report of May 15, 2000 provides information for the following districts:

- Modesto City Elementary School District (collaborative)
- Garden Grove Unified School District (per OSEP request)
- Fremont Unified School District (per OSEP request)
- Sweetwater Union High School District (per OSEP request)

Garden Grove Unified School District, Norwalk La Mirada , Fremont USD, Lynwood USD, and Sweetwater Union High School Districts are Verification districts (randomly selected from the CCR pool) and were not selected for focused monitoring based on KPIs. As of this report, KPI information is provided on all 9 selected districts per your request.

Coordinated Compliance Reviews

CURRENT STATUS

All CCR information has been submitted for selected districts in CAP Section A as of this May 15, 2000 supplemental report.

CCR information was provided in the March 31, 2000 report for the following districts:

- Lynwood Unified School District
- Fremont Unified School District

This supplemental report of May 15, 2000 provides information for the following districts:

- Sweetwater Union High School District
- Antelope Valley Unified School District

- W. Contra Costa Unified School District
- San Diego City Unified School District
- Garden Grove Unified School District
- Modesto City Unified School District
- Norwalk LaMirada Unified School District

Complaints Management

CURRENT STATUS

All compliance complaint information has been submitted for selected districts in CAP Section A as of this May 15, 2000 supplemental report (Complaints as of March 31, 2000).

Compliance Complaint information was provided in the March 31, 2000 report for the following districts:

- Sweetwater Union High School District
- San Diego City Unified School District
- Lynwood Unified School District
- Antelope Valley Unified School District
- Fremont Unified School District
- W. Contra Costa Unified School District

This supplemental report of May 15, 2000 provides information for the following districts:

- Garden Grove Unified School District
- Modesto City Unified School District
- Norwalk LaMirada Unified School District

Hearing Decisions

CURRENT STATUS

All hearing decisions/orders information have been submitted for selected districts in CAP Section A as of this May 15, 2000 supplemental report (January 1999-December 1999)

Hearing decision information was provided in the March 31, 2000 report for the following districts:

- Antelope Valley Unified School District

Data was not provided for the following districts listed below, as there are no due process findings to report.

- Sweetwater Union High School District
- San Diego City Unified School District
- Lynwood Unified School District
- Fremont Unified School District
- W. Contra Costa Unified School District

Due process data is not provided for the districts listed below, as there are no due process findings to report.

- Garden Grove Unified School District
- Modesto City Unified School District
- Norwalk LaMirada Unified School District

Verification Process Reviews

CURRENT STATUS

For this May 15, 2000 supplemental report, CDE has conducted nine (9) of the eleven (11) verification process reviews regarding student records. Preliminary verification process review findings (student records) have been submitted for selected districts in CAP Section A and an updated status of all nine (9) selected districts.

District	Verification Process Status (Student Records)
W. Contra Costa Unified School District	Conducted March 8,13, 23, report completed
San Diego City Unified School District	Conducted March 20-21, report completed
Fremont Unified School District	Conducted March 22-24, report completed
Garden Grove Unified School District	Conducted March 29-30, report completed
Lynwood Unified School District	Conducted April 10-12, report completed
Sweetwater Union High School District	Conducted May 4-5, data being entered
Norwalk LaMirada Unified School District	Conducted May 9-11, data being entered
Modesto City Unified School District	To be conducted May 23-24, 2000
Antelope Valley Unified School District	To be conducted June 2000

***Tentative Verification Review Process Findings-Status**

District	Record Review Date	# NC Findings Student level	# NC Findings Systemic level	Verification of IEP Implementation	Verification of Prior Noncompliance	Completed Corrective Action Plan (date)
Sweetwater Union HSD	5/3-4	TBD	TBD	TBD	TBD	TBD
San Diego USD	3/20-21	303 total	21	Currently in process	Currently in process	Currently in process for pupil record review findings
Lynwood USD	4/10-12	Data being analyzed	Data being analyzed	Currently in process	Currently in process	Currently in process for pupil record review findings
Antelope Valley Union HSDH	6/2000	TBD	TBD	TBD	TBD	TBD
Fremont USD	4/17-18	259	10	Currently in process	Currently in process	Currently in process for pupil record review findings
W. Contra Costa USD	3/8,13,23	378	23	Completed Data being inputted	Completed Data being inputted	Currently in process for pupil record review findings
Garden Grove USD	3/29-30	Data being analyzed	Data being analyzed	Completed Data being inputted	Completed Data being inputted	Currently in process for pupil record review findings
Modesto City USD	5/23-24	TBD	TBD	TBD	TBD	TBD
Norwalk-LaMirada USD	5/9-11	TBD	TBD	TBD	TBD	TBD

***Tentative Findings: Possible Systemic or Continued Noncompliance in FedCAP IDEA, Part B Areas**

Sweetwater Union HSD	<i>TBD Data being inputted</i>
San Diego USD	<i>Reevaluations (timelines) Transition components age 14 CASEMIS data indicates annual IEPs overdue</i>
Lynwood USD	<i>Data being analyzed</i>
Antelope Valley Union HSDH	<i>TBD Scheduled for Verification process review 6/2000</i>
Fremont USD	<i>No systemic FedCAP areas of noncompliance found CASEMIS data indicates reevaluation and annuals reviews overdue</i>
W. Contra Costa USD	<i>Reevaluations (timelines) Transition components age 16 CASEMIS data indicates annual reviews overdue</i>
Garden Grove USD	<i>Data being analyzed</i>
Modesto City USD	<i>TBD Scheduled for Verification process review 5/23/-24</i>
Norwalk La Mirada	<i>TBD Data being inputted</i>

** Tentative verification process data demonstrates continued noncompliance in areas identified by OSEP in their 1996 and 1999 reports on California Monitoring*

As required in A.2. CDE will demonstrate that it:

Has, during the 1999-2000 year, conducted at least 18 randomly selected verification reviews, and initiated at least 8 facilitated and 11 collaborative reviews; and

CURRENT STATUS:

CDE has conducted 27 Verification Process Reviews at the time of this May 15, 2000 supplemental report (13 of the 18 Verification districts, 6 of the 8 Facilitated districts, and 8 of the 11 Collaborative districts). Current information is provided below.

District (18 Verification) Verification Review Process Status (Student Records)

Poway USD	Conducted 3/ 8-10, data entered
Escondido Union Elementary SD	Conducted 3/15-17, data entered
Alameda Unified SD	Conducted 3/27-29, data entered
McKinleyville Union Elementary SD	Conducted 3/28-29, data entered
Garden Grove Unified School District	Conducted 3/29-30, report completed
Santa Cruz City HSD	Conducted 3/30-31, data entered
Lynwood USD	Conducted 4/10-12, report completed
Alisal Union Elementary SD	Conducted 4/11-12, report completed
Salinas City Elementary SD	Conducted 4/13-14, report completed
Fremont USD	Conducted 4/17-18, report completed
Chula Vista Elementary SD	Conducted 4/24-28, data entered
Sweetwater Union HSD	Conducted 5/3-4, data being entered
Norwalk LaMirada USD	Conducted 5/9-11, data being entered
ABC USD	To be conducted 5/16-18
Lowell Joint Elementary SD	To be conducted 5/17-18
San Juan USD	To be conducted 5/22-24
Encinitas Union Elementary SD	To be conducted 5/22-24
Pajaro Valley Joint Elementary SD	To be conducted 5/30-31

District (8 Facilitated) Verification Process Review Status (Student Records)

Hayward USD	Conducted 3/28-30, report completed
Palo Verde USD	Conducted 4/4-5, report completed
Centinella Valley USD	Conducted 4/5-6, data entered
Greenfield Union Elementary SD	Conducted 4/6-7, report completed
Alum Rock Elementary SD	Conducted 4/10-11, report completed
Pittsburg USD	Conducted 5/1-3, report completed
Brawley Union HSD	To be conducted 6/8-9, 2000
Antelope Valley Union HSD	To be conducted June, 2000

District (11 Collaborative) Verification Process Review Status (Student Records)

W. Contra Costa USD	Conducted 3/8,13,23, report completed
San Diego USD	Conducted 3/20-21, report completed
North Sacramento Elementary SD	Conducted 3/27, report completed
Mendota USD	Conducted 3/30-31, report completed
San Francisco USD	Conducted 4/5-7, report completed
Los Angeles USD	Conducted 4/5-6, report completed
William S. Hart Union HSD	Conducted 4/18-19, report completed
Redlands USD	Conducted 4/20-21, report completed
Perris Union HSD	To be conducted 5/16-17
Modesto City Elementary SD	To be conducted 5/23-25
San Ysidro Elementary SD	To be conducted 6/26-28

A.3 CDE will demonstrate that it:

Has consistently and effectively implemented a systemic process to determine whether districts have corrected and prevented the recurrence of noncompliance, including ensuring that children receive needed services

CURRENT STATUS

As the fourth part of the Verification Review Process (See Verification Review Process Procedures provided in the March 31, 2000 report), CDE collects data and determines the district's ability or inability to maintain compliance as evidenced in their prior CCR validation reviews and compliance complaints. This data is currently being reviewed and analyzed by CDE consultants. Compliance that is not maintained will revert to a noncompliance status and, as with all other identified noncompliance in the verification review process, corrective actions and CDE monitoring will be required.

The following table briefly enumerates compliance issues from the various QAP components: Local Plan, CCR, Focused Monitoring, Complaints, and Due Process. Detailed information is provided in attachments.

Summary of QAP Components

District	Local Plan	# CCR Noncompliant Findings			Complaints as of 3/31/00	Due Process 1999...	QAP Status In Process March-June	KPI
Sweetwater Union HSD	In compliance SBE approved 6/97, Current until 6/30/2001	1992 5 Resolved	1996 6 Resolved	1999 Self Review 14 NC CDE site visit 2/4/00	4 resolved 1 open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP per request
San Diego USD	In compliance SBE approved 6/97, Current until 6/30/2001	1992 21 Resolved	1996 19 Resolved as of 11/16/99	1999 Self Review 18 NC	74 Resolved 28 Open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Submitted 3/31/00 to OSEP FM Collab. LEA
Lynwood USD	In compliance SBE approved 6/97, Current until 6/30/2001	1992 3 Resolved	1996 9 Resolved	1999 Self Review To be submitted to CDE if completed	3 Resolved 1 Open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP per request
Antelope Valley Union HSD	In compliance Plan current until 6/30/2000, Draft amendments received and approved by CDE staff: Pending draft language for charter school	1992 4 Resolved	1995 2 Resolved	1999 Self Review 10 Resolved as of 3/3/00	1 Resolved 4 Open	2 Decisions or orders	Verification process to identify and determine ability to maintain compliance	Submitted 3/31/00 to OSEP FM Facilitated LEA
Fremont USD	In compliance SBE approved 6/97, Current until 6/30/2001	1992 -0-NC	1996 12 Resolved	1999 Self Review 10 NC	1 Resolved 3 Open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP per request
W. Contra Costa USD	SBE granted conditional approval until 6/30/2002 subject to incorporation of charter school language.	1991 9 Resolved	1994 13 Resolved	1998 12 Resolved Self Review not due until 2000	5 Resolved 1 Open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Submitted 3/31/00 to OSEP FM Collab. LEA
Garden Grove USD	In compliance SBE approved 7/97, Current until 6/30/2001	1992 1 Resolved	1996 1 Resolved	1999 Self Review 11 NC	2 Resolved 1 Open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP per request
Modesto City USD	In compliance SBE approved 10/99, Current until 6/30/2002	1993 -0-NC	1997 data indicates not reviewed by CDE	Self Review not due until 2000	7 Resolved	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP FM Collab. LEA

Norwalk La Mirada USD	In compliance SBE approved 7/97, Current until 6/30/2001	1991 6 Resolved	1996 11 Resolved	1999 Self Review 3 NC	10 Resolved 1 Open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP per request
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The information provided in the following tables provides CASEMIS data on selected CAP districts as requested by OSEP May 5, 2000.

Three year (3) Reevaluation Timelines

CDE Findings: District Data Submissions to CDE- Reevaluations and Annual IEPs
Source: CASEMIS (California Special Education Management Information System)
December, 1999 Pupil Count

District	Total Sp.Ed. Pupil Count	# Students receiving Reevaluation within timelines COMPLIANT	# Students not receiving Reevaluation within timelines NONCOMPLIANT	Percentage % Students not receiving timely reevaluations
Sweetwater Union HSD	3, 856	3, 276	580	15.0%
San Diego USD	15, 140	14, 399	741	4.9%
Lynwood USD	1, 360	1, 035	325	23.9%
Antelope Valley Union HSD	1, 623	1, 363	260	16.0%
Fremont USD	3, 025	2, 808	217	7.2%
W. Contra Costa USD	4, 755	3,850	905	19.0%
Garden Grove USD	4, 928	4, 888	40	.08%
Modesto City USD	2, 869	2,580	289	10.1%
Norwalk La Mirada USD	2, 257	2, 021	236	10.5%

Annual Individualized Education Program (IEP) Timelines

CDE Findings: District Data Submissions to CDE- Reevaluations and Annual IEPs
Source: CASEMIS (California Special Education Management Information System)
December, 1999 Pupil Count

District	Total Sp.Ed. Pupil Count	# Students receiving Annual IEPs within timelines COMPLIANT	# Students not receiving Annual IEPs within timelines NONCOMPLIANT	Percentage % Students not receiving timely annual reviews
Sweetwater Union HSD	3, 856	3, 187	669	17.3%
San Diego USD	15, 140	13, 485	1, 655	10.9%
Lynwood USD	1, 360	845	515	37.9%
Antelope Valley Union HSD	1, 623	1, 104	519	32.0%
Fremont USD	3, 025	2, 627	398	13.2%
W. Contra Costa USD	4, 755	3, 686	1, 069	22.5%
Garden Grove USD	4, 928	4, 124	804	16.3%
Modesto City USD	2, 869	2, 589	280	9.8%
Norwalk La Mirada USD	2,257	1, 521	736	32.6%

Distribution Among All California School Districts

	Eval/Reevaluation		IEP
Smallest	0.0%	Smallest	0.0%
25 th percentile	3.1%	25 th percentile	3.1%
Median	6.0%	Median	6.0%
75 th Percentile	10.0%	75 th Percentile	10.0%
Largest	79.1%	Largest	79.1%

B. CDE Monitoring and Supervision of FedCAP Districts Found NonCompliant by OSEP Monitoring Reports in 1996 and 1999

CURRENT STATUS

CDE has conducted 14 verification reviews of the 15 total FedCAP districts as of this May 15, 2000 supplemental report. Capistrano USD is scheduled for June 5-7, 2000.

To the degree available, CDE reports required information for selected districts in this Section as obtained through the CDE verification review process. As clarified in the cover letter, CDE is currently obtaining local district student level data in the areas of: related services (occupational therapy, physical therapy, speech and language therapy, counseling; supplemental aids and services (LRE); students suspended 10 days or more or expelled (FAPE); transition services; annual IEPs and 3 year reevaluations . This is similar to the data collected and reported in the 1996 CAP. This student level data will be analyzed and verified by CDE with documentation provided on or before June 30, 2000 in conjunction with CDE's verification process review findings.

As part of CAP, Section B, CDE submits compliance data regarding the selected districts in addition to tentative verification process review findings.

***Tentative Verification Review Process Review Status-Findings**

District	Record Review Date	# NC Findings Student level	# NC Findings Systemic level	Verification of IEP Implementation	Verification of Prior Noncompliance	Completed Corrective Action Plan (date)
Fairfield-Suisun USD	5/16-17	TBD	TBD	Currently in process	Currently in process	Currently in process for student record findings
Mt. Diablo USD	3/30-31	214	16	Currently in process	Currently in process	Currently in process for student record findings
Holtville USD	4/17-18	376	13	Currently in process	Currently in process	Currently in process for student record findings
Los Angeles USD	4/6-7	452 total	24	Currently in process	Currently in process	Currently in process
San Francisco USD	4/5-6	495	26	Currently in process	Currently in process	Currently in process for student record findings
Saddleback Valley USD	5/25-26	TBD	TBD	TBD	TBD	TBD

*** Tentative Findings: Possible Systemic or Continued Noncompliance in FedCAP
IDEA, Part B Areas**

Fairfield-Suisun	<i>TBD Scheduled for verification review process 5/16-17, 2000</i>
Mt. Diablo USD	<i>Reevaluations (timelines) Annual Review (timelines)</i>
Holtville USD	<i>Reevaluations (timelines) Annual Review (timelines)</i>
Los Angeles USD	<i>Reevaluations (timelines) Annual Review (timelines) Transition age 14 (content) Transition age 16 (content)</i>
San Francisco USD	<i>Reevaluations (timelines) Annual Review (timelines) Transition age 14 (content)</i>
Saddleback Valley USD	<i>TBD Scheduled for verification review process 5/25-26, 2000</i>

** Tentative verification process data demonstrates continued noncompliance in areas identified by OSEP in their 1996 and 1999 reports on California Monitoring*

B. 2 CDE has used the Quality Assurance Process, as necessary, to ensure systemic compliance (including completing a verification review for each of the FedCAP districts).

As part of CAP, Section B, CDE submits compliance data regarding the selected districts in addition to tentative verification process review findings. Please see attachments for detailed information.

- Local Plan
- Focused Monitoring
- CCR
- Complaint Management
- Due Process
- CASEMIS data (Reevaluation, Annual IEPs-Timelines, as requested by OSEP May 5, 2000)

Summary of QAP Components

District	Local Plan	# CCR Noncompliant Findings			Complaints as of 3/31/00	Due Process From 1999...	QAP Status In Process March-June	KPI
Fairfield Suisun USD	In compliance SBE approved 10/99, subject to Charter School language incorporation	1991 10 Resolved	1998 3 NC	Self Review not due until 2000	4 Resolved 1 Open	1 decision and/or order	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP per request Not a selected CDE-FM LEA
Mt. Diablo USD	In compliance SBE approved 10/99, subject to Charter School language incorporation	1991 8 Resolved	1994 8 Resolved	1997 1 Resolved 1998 9 Resolved	26 Resolved 9 Open	1 decision and/or order	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP per request Not a selected CDE-FM LEA
Holtville USD	In compliance SBE approved 6/97, Current until 6/30/2001	1993 11 Resolved	1996 5 Resolved	1999 Self Review To be submitted to CDE if completed	-0-	-0-	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP per request
Los Angeles USD	In compliance Plan current until 6/30/2000	1993 9 Resolved	1998 30 Resolved 9 NC	1999 5 NC	125 Resolved 39 Open	1 decision and/or order	Verification process to identify and determine ability to maintain compliance	Submitted 5/15/00 to OSEP per request FM Collab. LEA
San Francisco USD	In compliance SBE approved 11/99, subject to Charter School language incorporation	1991 3 Resolved	1994 21 Resolved	1998 27 NC Compliance Agreement with CDE	36 Resolved 7 Open	5 decisions and/or orders	Verification process to identify and determine ability to maintain compliance	Provided 5/15/00 to OSEP FM Collab. LEA
Saddleback Valley USD	In compliance Plan current until 6/30/01	1992 5 Resolved	1996 -0-	1999 Self Review -0- NC	1 Resolved	-0-	Verification process to identify and determine ability to maintain compliance	Provided 5/15/00 to OSEP LEA did not volunteer For 1999-2000

The information provided in the following tables provides CASEMIS data on selected CAP districts as requested by OSEP May 5, 2000.

Three year (3) Reevaluation

CDE Findings: District Data Submissions to CDE- Reevaluations and Annual IEPs
Source: CASEMIS (California Special Education Management Information System)
December, 1999 Pupil Count

District	Total Sp.Ed. Pupil Count	# Students receiving Reevaluations within timelines COMPLIANT	# Students not receiving Reevaluations within timelines NONCOMPLIANT	Percentage % Students not receiving timely reevaluations
Fairfield Suisun USD	2, 758	2,707	51	1.8%
Mt. Diablo USD	5, 080	4, 664	416	8.2%
Holtville USD	222	213	9	4.1%
Los Angeles USD	81, 966	81, 832	134	0.2%
San Francisco USD	6, 865	5, 988	877	12.8%
Saddleback Valley USD	3, 087	2, 915	172	5.6%

Annual Individualized Education Program (IEP) Timelines

CDE Findings: District Data Submissions to CDE- Reevaluations and Annual IEPs
Source: CASEMIS (California Special Education Management Information System)
December, 1999 Pupil Count

District	Total Sp.Ed. Pupil Count	# Students receiving Annual IEPs within timelines COMPLIANT	# Students not receiving Annual IEPs within timelines NONCOMPLIANT	Percentage % Students not receiving timely annual reviews
Fairfield Suisun USD	2, 758	2, 678	80	2.9%
Mt. Diablo USD	5, 080	4, 436	644	12.7%
Holtville USD	222	183	39	17.6%
Los Angeles USD	81, 966	79, 949	2, 017	2.5%
San Francisco USD	6, 865	5, 156	1, 709	24.9%
Saddleback Valley USD	3, 087	2, 915	172	5.6%

Distribution Among All California School Districts

	Eval/Reevaluation		IEP
Smallest	0.0%	Smallest	0.0%
25 th percentile	3.1%	25 th percentile	3.1%
Median	6.0%	Median	6.0%
75 th Percentile	10.0%	75 th Percentile	10.0%
Largest	79.1%	Largest	79.1%

C. Noncompliance in Public Agencies with Long-standing Systemic Noncompliance

CDE will demonstrate that it has ensured that the public agencies with long-standing systemic noncompliance are in compliance in the areas described in OSEP's 1996 and 1999 California Monitoring Reports and can provide data that shows positive impact on services to children with disabilities (like the district-specific data that CDE submitted in response to the 1996 Corrective Action Plan).

CURRENT STATUS

CDE has conducted verification process reviews for 3 of the 4 districts as of this May 15, 2000 supplemental report.

To the degree available, CDE reports required information for this section as obtained through the CDE verification process. As clarified in the cover letter, CDE is currently obtaining local district student level data in the areas of: related services (occupational therapy, physical therapy, speech and language therapy, counseling; supplemental aids and services (LRE); students suspended 10 days or more or expelled (FAPE); transition services; annual IEPs and 3 year reevaluations . This is similar to the data collected and reported in the 1996 CAP. This student level data will be analyzed and verified by CDE with documentation provided on or before June 30, 2000 in conjunction with CDE's verification process reviews.

District	Verification Process Review Status (Pupil Records)
Santa Barbara Elementary SD	Conducted 4/12-14, report completed
Oakland USD	Conducted 4/20-21, report completed
Sacramento USD	Conducted 3/23, 4/12, report completed
Compton USD	To be conducted 5/30- 6/1, 2000

C. 2 CDE has used the Quality Assurance Process, as necessary, to ensure systemic compliance (including completing a verification review for each of the FedCAP districts).

As part of CAP, Section C, CDE submits compliance data regarding the selected districts in addition to tentative verification process review findings. Please see attachments for detailed information.

- Local Plan
- Focused Monitoring
- CCR
- Complaint Management
- Due Process
- CASEMIS data (Reevaluation, Annual IEPs-Timelines, as requested by OSEP May 5, 2000)

Summary of QAP Components

District	Local Plan	# CCR Noncompliant Findings			Complaints as of 3/31/00	Due Process From 1999...	QAP Status In Process March-June	KPI
Santa Barbara Elementary School District	In compliance SBE approved 7/14/99	1991 -0- NC	1994 4 Resolved	1998 1 Resolved	2 Resolved	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Provided 5/15/00 to OSEP LEA did not volunteer for 1999-2000
Oakland USD	In compliance SBE approved 6/97, Current until 6/30/2001	1992 13 Resolved	1996 18 Resolved 4 NC -as of 2/2/00-20 resolved, 2 NC	1999 Self Review 4 NC	16 Resolved 5 Open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Provided 5/15/00 to OSEP LEA not selected by CDE
Sacramento City USD	In compliance SBE approved 6/97, Current until 6/30/2001 Cycle C	1992 -0- NC	1994 1 Resolved	1999 Self Review 6 NC Compliance agreement Due 6/30/00	5 Resolved 5 Open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Provided 5/15/00 to OSEP LEA not selected by CDE
Compton USD	In compliance Plan current until 6/30/2000, Draft amendments received and approved by CDE staff: Pending draft language for charter school	1992 7 Resolved	1994 6 Resolved 13 NC As of 5/30/00 11 Resolved 2 - Compliance Agreement due 6/30/00	1998 35 NC As of 5/4/00 All resolved except 3- Compliance Agreement Due 6/30/00	7 Resolved 4 Open	-0- Decisions or orders	Verification process to identify and determine ability to maintain compliance	Provided 5/15/00 to OSEP LEA not selected by CDE

*Tentative Verification Review Process Review Status-Findings

District	Record Review Date	#NC Findings Student Level	#NC Findings Systemic Level	Verification of IEP Implementation	Verification of Prior Noncompliance	Completed Corrective Action Plan (date)
Santa Barbara Elementary SD	4/12-14	10 total	-0-	Currently in process	Currently in process	Currently in process for student record findings
Oakland USD	4/20-21	356	18	Currently in process	Currently in process	Currently in process for student record findings
Sacramento City USD	3/23, 4/12	366 total	13	Currently in process	Currently in process	Currently in process for student record findings
Compton USD	5/30, 6/1	TBD	TBD	TBD	TBD	TBD

*** Tentative Findings: Possible Systemic or Continued Noncompliance in FedCAP
IDEA, Part B Areas**

Santa Barbara Elementary SD	<i>No systemic FedCAP areas of noncompliance found CASEMIS data indicates NC in timely reevaluations and annual reviews</i>
Oakland USD	<i>Reevaluations (timelines) Annual Reviews (timelines) Transition age 14 (content and failure to provide) Supplementary aids and services</i> <i>NOTE: District self-report:: As of 3/23/00-Annual IEPs: 1,555 overdue District self-report:: As of 3/23/00-Reevaluations; 907 overdue Information collected per school site</i>
Sacramento City USD	<i>Reevaluations (timelines) Annual Reviews (timelines) Transition age 14 (documentation needed)</i>
Compton USD	<i>TBD Scheduled for verification process review 5/30-6/1, 2000</i>

**Tentative verification process data demonstrates continued noncompliance in areas identified by OSEP in their 1996 and 1999 reports on California Monitoring*

The information provided in the following tables provides CASEMIS data on selected CAP districts as requested by OSEP May 5, 2000.

Three year (3) Reevaluation Timelines

CDE Findings: District Data Submissions to CDE- Reevaluations and Annual IEPs
Source: CASEMIS (California Special Education Management Information System)
December, 1999 Pupil Count

District	Total Sp.Ed. Pupil Count	# Students receiving Reevaluation within timelines COMPLIANT	# Students not receiving Reevaluation within timelines NONCOMPLIANT	Percentage % Students not receiving timely reevaluations
Santa Barbara Elementary SD	859	702	157	18.3%
Oakland USD	5, 775	5, 081	694	12.0%
Sacramento City USD	6, 058	5, 881	177	2.9%
Compton USD	2, 701	2, 427	274	10.1%

Annual Individualized Education Program (IEP) Timelines

CDE Findings: District Data Submissions to CDE- Reevaluations and Annual IEPs
Source: CASEMIS (California Special Education Management Information System)
December, 1999 Pupil Count

District	Total Sp.Ed. Pupil Count	# Students receiving Annual IEPs within timelines COMPLIANT	# Students not receiving Annual IEPs within timelines NONCOMPLIANT	Percentage % Students not receiving timely annual reviews
Santa Barbara Elementary SD	859	461	398	46.3%
Oakland USD	5, 775	44, 644	1, 131	19.6%
Sacramento City USD	6, 058	5, 704	354	5.8%
Compton USD	2, 701	1, 949	752	27.8%

Distribution Among All California School Districts

	Eval/Reevaluation		IEP
Smallest	0.0%	Smallest	0.0%
25 th percentile	3.1%	25 th percentile	3.1%
Median	6.0%	Median	6.0%
75 th Percentile	10.0%	75 th Percentile	10.0%
Largest	79.1%	Largest	79.1%

D. CDE will Take Effective Enforcement Actions to Ensure Compliance when Other Actions Have not Ensured Compliance

As part of this supplemental May 15, 2000 report, CDE submits information as stated in the April 20, 2000 letter to CDE from Judith Heumann....” Specifically, under component D, there is no indication of whether any sanctions, beyond those that were part of a State complaint, were taken or indication of the effectiveness of the listed actions.”

CDE Enforcement/Sanction Actions Update
January 2000 to May 4, 2000

District	Case #	Final Report Date	Comp. Ed.	Reimb	Local School Board Hearing	Civil Action	Fiscal Withhold	CDE C.A.P.	TA Offered	Outcome
LAUSD	S-0214-99/00	2/2/00	X						X	Resolved-FMTA C 2/2/00
Santa Clara Co. Schools	S-0287-99/00	1/28/00	X							Reconsideration granted by CDE general counsel. Withdrawal of required corrective actions 3/22/00 FMTA N
Long Beach USD	S-0311-99/00	1/28/00	X							Open FMTA C
Mt. Diablo USD	S-0332-99/00	1/30/00	X						X	Resolved 4/17/00 FMTA N
Alameda City USD	S-0339-99/00	2/12/00	X						x	Pending: Complainant & district agree to deferring services (student need) FMTA N
Santa Monica-Malibu USD	S-0379-99/00	2/16/00	X						X	Open FMTA C
Scotts Valley USD	S-0265-99/00	2/10/00		X						Open FMTA N Additional evidence needed
Santa Cruz City High	S-0310-99/00	2/5/00		X						Resolved FMTA N 4/10/00
Beverly Hills USD	S-0329-99/00	2/11/00		X						Open FMTA C
Acton-Agua Dulce USD	S-0350-99/00	2/20/00		X						Open FMTA C
Petaluma USD	S-0328-99/00	2/1/00			X				X	Open FMTA C
Long Beach USD	S-0198-99/00	11/10/99			X					Open FMTA C
Sacramento City USD	S-0333-99/00	2/22/00			X					Open FMTA N
Sweetwater and SDCOE	S-0363-99/00	2/22/00			X					Resolved FMTA S 5/3/00
Carlsbad USD	S-0412-99/00	2/24/00			X					Open FMTA S
Carlsbad USD	S-0393-99/00	2/23/00			X					Open FMTA S
Moreno Valley USD	S-0722-98/99	2/25/00			X				X	Resolved FMTA S 3/29/00
Vista USD	S-0414-99/00	Open			X					Closed per mediation agreement FMTA S 4/7/00
San Diego USD:NEW	I- 0044-98/99					X Writ			X	4/12 ltr. to Supt., 4/21 Writ of Mandate filed by CDE legal
S.Lake Tahoe USD-NEW	S- 0252-99/00	1/14/00	X		X	X Writ				CDE Legal – preparing Writ of Mandate
San Francisco USD	Systemic NC	10/99						X		CDE Corrective Action Plan

The March 31, 2000, OSEP Report #3 provided information regarding all local school board hearing information from January through March. As of January 2000, the California legislature revised the law requiring local school board hearings. The new legislation requires these hearings to occur for noncompliant complaints that are "substantially" noncompliant. Therefore, not all state complaints beginning January 2000 require a local school board hearing presentation before the local educational agency school board of trustees.

San Francisco USD has been under a CDE CAP beginning in October, 1999. The district and CDE reviewed all previous noncompliance evidence through various data sources (CCR self-reviews, CCR validation reviews, compliance complaints, due process issues, local plan, etc.) and developed a Corrective Action Plan (CAP) that addresses all noncompliant areas. This CAP was previously provided to OSEP.

CURRENT STATUS-SAN FRANCISCO USD

The CAP contains seven (7) components addressing systemic noncompliance. These components include:

1. Accountability
2. Prevention and Consultation
3. Assessment
4. Qualified Personnel
5. IEP and Instructional Delivery
6. Family Participation and Involvement
7. Compliance Management and Monitoring

Noncompliance correction and progress are continually reviewed weekly by an assigned CDE monitor. Findings based on the recent verification process review will be incorporated into the existing CAP. The CAP is scheduled for revision by June 30, 2000.

As of this report, the district has completed:

- Community and advocacy input meetings
- Parent satisfaction surveys (phone, written, interviews)
- Re-organized to address systemic noncompliant special education areas evidenced by
 - \$2.8 million specifically redirected to address special education noncompliance
 - Redirection of staff and resources to focus on special education noncompliance
 - LRE (inclusion) pilot project (25 school sites)

San Francisco Unified School District continues a large national, state and local teacher recruitment effort to both recruit and maintain qualified staff.

As evidenced by QAP information, sanctions are not applied unless SEA corrective actions are not provided or met. CDE examines all QAP data provided on each LEA and

has not had to apply sanctions as evidenced by corrective actions being met by LEA (SELPAs also) in their local plans, CCR validation review corrections, CCR self-review corrections, compliance complaint corrective actions and verification process review findings. If corrective actions are not met, appropriate enforcement/sanction actions are taken.

The outcomes reported are evidenced through corrective actions met by the local educational agency (ies) validated by CDE with confirmation by the complainant as appropriate. Effectiveness of CDE's enforcement/sanctions is indicated as "resolved."